	Application No.	Applicant(s)
Notice of Allowability	09/768,747	DONALD J. KADYK
	Examiner	Art Unit
	Baoquoc N To	2162

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to <u>09/23/2004</u>.

2. ☒ The allowed claim(s) is/are <u>8 and 12-39</u>.

3. ☒ The drawings filed on <u>24 January 2001</u> are accepted by the Examiner.

4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some*   c) ☐ None   of the:

        1. ☐ Certified copies of the priority documents have been received.

        2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

        3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

    * Certified copies not received: _____ .

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.

    (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached

        1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.

    (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

    Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892) ▪

2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)

3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____

4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

5. ☐ Notice of Informal Patent Application (PTO-152)

6. ☒ Interview Summary (PTO-413), Paper No./Mail Date _____ . ▪

7. ☐ Examiner's Amendment/Comment

8. ☒ Examiner's Statement of Reasons for Allowance

9. ☐ Other _____.

JEAN M. CORRIELUS
PRIMARY EXAMINER

DETAILED ACTION

1.   Claims 1-7 and 9-11 are canceled in the present amendment and previous
amendment filed on 09/23/04. Claims 8, 12 and 13-39 are pending in this application.

Allowable Subject Matter

2.   Claims 8, 12 and 13-39 are allowed.

As to claim 12, none of the know prior art neither alone or incombination teach or
suggests "an act of sending a plurality of update notification to one or more client over
an unreliable communication channel without requesting or receiving acknowledgment
of receipt of the update notification by the one or more clients, each update notification
including (1) at least one of the plurality of changes and (ii) at least one of the plurality of
token, the at least one of the plurality of tokens corresponding to the at least one of the
plurality of changes; an act of receiving a plurality of token back from the one or more
clients; an act of interpreting one or more tokens that were sent to the one or more
clients but that were not received back from the one or more clients as indication that
one or more changes are missing from the one or more clients; an act of sending a list
of one or more missing tokens to the one or more clients missing the one or more
changes, the list identifying one or more tokens that were sent to the one or more
clients but that were not received back; receiving a request from the one or more clients
to resend the one or more missing tokens and corresponding changes; and an act of
resending the one or more missing tokens and corresponding changes to the one or
more requesting clients" in conjunction with an act of making a plurality of changes in

the server data; and an act of generating a plurality of tokens identifying each of the

plurality of changes in the server data.

Claims 8 and 13-18 are depended on claim 12, therefore they are allowed under

the same reason.

As to claim 19, none of the known prior art made of record alone or

incombination neither teach or suggest "a step for providing, over an unreliable

communication channel, a plurality of notification to the one or more message clients

without requesting or receiving acknowledgment of receipt of the notifications including

(i) a plurality of changes to the data stored at the message server, and (ii) a plurality of

tokens identifying each of the plurality of changes; a step for determining whether or not

the one or more message clients are missing any of the plurality of notifications based

on whether or not the one or more message clients can provide back each of the

plurality of tokens identifying each of the plurality of changes; and act of sending a list

identifying missing notification to the one or more corresponding message clients;

receiving a request from the one or more message clients to resend the on or more

missing notifications; and an act of resending the one or more missing notification to the

one or more requesting message clients."

Claims 20-25 are depended on independent 19, therefore, they are allowed

under same reason.

As to claim 26, none of the known prior art alone or incombination neither teach

or suggest "sending a plurality of notification to the one or more message clients over

the unreliable communication channel without requesting or receiving acknowledgment

of receipt of the notification by the one or more message clients, each notification

including (ii) at least one of the plurality of tokens, the at least one of the plurality of

tokens corresponding to the at least one of the plurality of changes; receiving a plurality

of tokens back from the one or more message clients; interpreting one or more tokens

that were sent to the one or more message clients but not received back from the one

or more message clients as indicate that one or more changes are missing from the one

or more message clients; an act of sending a list one or more missing tokens to the one

or more message clients missing tokens to the one or more message clients missing

the one or more changes, the list identifying one or more tokens that were sent to the

one or more message clients but that were not received back; receiving a request from

the one or more message clients to resend the one or more missing tokens and

corresponding changes; and resending the one or more missing changes to the one or

more message clients" and in conjunction with "a message server storing data; one or

more message clients storing data; un reliable communication channel at least

intermittently connecting the message server and the one or more message clients; a

and processor means for performing the acts of: making a plurality of changes in the

message server data; generating a plurality of tokens identifying each of the plurality of

changes in the message server data."

Claims 27-32 are dependent claims, which depended on claim 26, therefore, they

are allowed under the same reason.

As to claim 33, non of the known prior art made of record alone or incombination

neither teach or suggest "an act sending plurality of update notifications to the one or

more clients over an unreliable communication channel without requesting or receiving

acknowledgement of receipt of the update notification including (i) at least one of the

plurality of the changes and (ii) at least one of the plurality of token, the at least one of

the plurality of tokens corresponding to the at least one of the plurality of changes; an

act of receiving a plurality of token back from the one or more clients; an act of

interpreting one or more tokens that were sent to the one or more clients but that were

not received back from the one or more clients as indications that one or more changes

are missing from the one or more clients; and an act of sending a list of one or more

tokens to the one more clients missing the one or more changes, the list identifying one

or more tokens that were sent to the one or more clients but that were not received

back; receiving a request from the one or more clients to resend the one or more

missing tokens and corresponding changes; and an act of resending the one or more

missing tokens and corresponding changes to the one or more requesting clients" and

in conjunction with "an act of making a plurality of changes in the server data; and an

act of generating a plurality of tokens of tokens identifying each of the plurality of

changes in the server data."

Claims 34-39 are pending on independent claim 33, therefore, they are allowed

under the same reasons.

Any comments considered necessary by applicant must be submitted no later

than the payment of the issue fee and, to avoid processing delays, should

preferably accompany the issue fee. Such submissions should be clearly labeled

"Comments on Statement of Reasons for Allowance."

Conclusion

3.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure.

Hanko et al. (US. Patent No. 6,694,379 B1)   Patent date: 02/17/2004.

Chintada et al. (US. Patent No. 6,629,261 B1)   Patent date: 09/30/2003.

LaRue et al. (US. Patent No. 10/26/2004 B1)   Patent date: 10/26/2004.

Isaacs et al. (Pub. No. US. 2002/0026483 A1) Pub. Date: 02/28/2002.

Ben Li (RELIABLE MULTICAST TRANSMISSION USING FORWARD ERROR

CORRECTION AND AUTOMATIC RETRANSMISSION REQUESTSS), Canadian

Conference on Electrical and Computer Engineering, 2001, page 1145-1150.

Contact Information

4.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Baoquoc N. To whose telephone number is at 571-272-

4041 or via e-mail BaoquocN.To@uspto.gov. The examiner can normally be reached

on Monday-Friday: 8:00 AM – 4:30 PM, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, John Breene can be reached at 571-272-4107.

Any inquiry of a general nature or relating to the status of this application or

proceeding should be directed to the receptionist whose telephone number is (703) 305-

3900.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231.

The fax numbers for the organization where this application or proceeding is assigned are as follow:

(703) 872-9306 [Official Communication]

Hand-delivered responses should be brought to:

Crystal Park II

2121 Crystal Drive

Arlington, VA 22202

Fourth Floor (Receptionist).

Baoquoc N. To

Nov 09, 2004

JEAN M. CORRIELUS
PRIMARY EXAMINER